

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )                                  4:10CR3031  
                                )  
v.                             )  
                                )  
ALFREDO HERNANDEZ LOPEZ, )                                  MEMORANDUM AND ORDER  
                                )  
                                )  
Defendant.                 )

Defendant Lopez has moved to continue the pretrial motion deadline currently set for May 19, 2010. Filing No. 73. Defense counsel explains additional time is needed to review discovery material with the defendant and to engage in plea negotiations which may obviate any need to file pretrial motions. Based on the showing set forth in the defendant's motion, the court finds the motion should be granted.

## IT IS ORDERED:

- 1) The defendant's unopposed motion to continue, (filing no. 73), is granted and the defendant's pretrial motions and briefs shall be filed on or before June 4, 2010.
- 2) The ends of justice will be served by granting defendant's motion to continue the pretrial motion deadline, and outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between May 19, 2010 and June 4, 2010, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, for the reason that the parties require additional time to adequately prepare the case, taking into consideration due diligence of counsel, the novelty and complexity of the case, and the fact that the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).
- 3) The trial of this case remains set to commence on June 21, 2010 before Judge Richard G. Kopf.

DATED this 21<sup>st</sup> day of May, 2010.

s/ Cheryl R. Zwart  
United States Magistrate Judge